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Modified PTO/SB/05 (11-00)

Approved for use through 10/31/02. OMB 0651-0032

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UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

BOX004-1C US

Inventor(s)

Peter G. Borden; Jiping Li

Title

MEASURING A PROPERTY OF A LAYER IN A MULTILAYERED STRUCTURE

Express Mail Label No.

ER 205 700 274 US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application,
Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17) (2 pages)

(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.

See 37 CFR 1.27.

3. ☒ Specification

[Total Pages 50]

(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention

- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)

- Detailed Description
- Claim(s)

- Abstract of the Disclosure

4. ☒ Drawing(s) (35 USC 113)

[Total Sheets 8] (Figs., 1A, 1B,

1C, 2, 3, 4A, 4B, 5, 6, 7, 8A, 8B and 9)

5. Oath or Declaration

[Total Pages 2]

a. ☒ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

6. ☒ Application Data Sheet. See 37 CFR 1.76 (3 pages)

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & assignment (3 pages))

10. ☐ 37 CFR 3.73(b) Statement
(where there is an assignee)

☐ Power of Attorney

11. ☐ English Translation document (if applicable)

12. ☐ Information Disclosure Statement
(IDS)/PTO-1449

☐ Copies of IDS
Citations (5 Refs.)

13. ☐ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)
Should be specifically itemized

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant
must attach form PTO/SB/35 or its equivalent.

17. ☒ Other Copy of Petition for Extension of Time from
Prior Application 10/269,619 (1 page); and

Credit Card Payment Form (1 page)

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation

☐ Divisional

☐ Continuation-in-part (CIP)

of prior application No.: 10/269,619

Prior application information: Docket No. BOX005-3C US Examiner * Richard A. Rosenberger Group / Art Unit: (group) 2877

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

or ☐ Correspondence address below

34036

PATENT TRADEMARK OFFICE

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Omkar K. Suryadevara

Registration No. (Attorney/Agent)

36,320

Signature

S. Omkar

Date November 25, 2003

FEE TRANSMITTAL FOR FY 2004

Patent fees are subject to annual revision.

Complete if Known

Application Number	Unknown
Filing Date	November 25, 2003
First Named Inventor	Peter G. Borden
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket No	BOX004-1C US

TOTAL AMOUNT OF PAYMENT

(\$)**896.00**

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge any underpaid fees and credit any overpayments to:
- Deposit Account Number: **50-2263**
- Deposit Account Name: **Silicon Valley Patent Group LLP**
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☐ Check ☒ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**770.00**

2. EXTRA CLAIM FEES

Total Claims	27-20**	Extra Claims	Fee from below	Fee Paid
7	x	18	=	\$126
Independent Claims	2-3**	Extra Claims	Fee from below	Fee Paid
0	x	86	=	\$0
Multiple Dependent		Extra Claims	Fee from below	Fee Paid
0		290	=	\$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claims, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)**126.00**

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee for provisional applications	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per properties (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**0.00**

SUBMITTED BY

Name (Print/Type)	Omkar K. Suryadevara	Registration No. (Attorney/Agent)	36,320	Telephone	(408) 982-8200 ext. 3
Signature	<i>S. Omkar</i>			Date	November 25, 2003

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